



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,942	10/24/2003	A. L. Pepper Aasgaard	ASA 02-2-2	2124

23531 7590 05/05/2006

SUITER WEST SWANTZ PC LLO
14301 FNB PARKWAY
SUITE 220
OMAHA, NE 68154

EXAMINER

KIM, WESLEY LEO

ART UNIT	PAPER NUMBER
----------	--------------

2617

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/692,942	Applicant(s) AASGAARD, A. L. PEPPER	
	Examiner Wesley L. Kim	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-6,9-16,19-25,28-33,35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,9-16,19-25,28-33,35 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This Office Action is in response to Amendment filed on 3/9/06.

- Claims 2-3, 7-8, 17-18, 26-27, 34, and 37-53 are cancelled.
- Claims 1, 4, 9, 10, 13, 24, 25, and 30-31 are currently amended.
- Claims 1, 4-6, 9-16, 19-25, 28-33, and 35-36 are pending in the current office action.

Response to Arguments

Applicant's arguments with respect to claims 1, 4-6, 9-16, 19-25, 28-33, and 35-36 have been considered but are moot in view of the new ground(s) of rejection.

The applicant's arguments have been overcome by the use of the Uchiyama reference (U.S. Pub 2002/0072390 A1), which teaches the limitations such as the relaying unit increases the voltage of communication signals received from the mobile phone and provides the communication signals to the wired telephone and decreases the voltage of communication signals received from the wired telephone and provides communication signals to the mobile phone (see rejection of claim 1); and Uchiyama further teaches the relaying unit detects connection of the mobile phone to the mobile telephone coupling unit (see rejection of claim 13).

Torrey teaches a switch within the relaying unit causing the wired telephone network to be disconnected from the wired telephone communication system so that the communication with the wired telephone is provided through

the wireless mobile telephone system via the wireless telephone (Col.5:2-13, the switching element inside the relaying unit allows telephonic device 231 to place calls only over the wireless network, i.e. the wired telephone network to be disconnected from the wired telephone communication system by the actuation of a switching element).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the examiner believes that the motivation provided are sufficient to modify or combine the references to achieve the Applicants invention. If the applicant disagrees, the examiner would like the applicant to point out which one of the motivations for combination is not sufficient and the reason why.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 4-6, 11, 13-16, 21-22, 24-25, 28-33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al (U.S. Patent 6751462 B1) in view of Uchiyama (U.S. Pub 2002/0072390 A1).

Regarding Claims 1, 14, 15, 24-25, and 32-33, Torrey teaches A mobile telephone relaying system for relaying communication signals (Col.3;45-64, converter 120) between mobile telephone capable of wireless communication with a wireless mobile telephone communication system (Fig.1;100) and a wired telephone in a wired local telephone network providing communication between the wired telephone and a wired telephone communication system (Fig.1;130-140), the wired telephone network employing communication signals having a first format (Col.4;17-25, signals between converter and first telephonic device is of one format) and the mobile telephone communication signals having a second format (Col.4;17-25, signals between the converter and mobile phone is of another format), comprising: a relaying unit (Fig.1;120, converter) coupled to the wired local telephone network for relaying communication signals between the mobile telephone and the wired local telephone network for communication with the wired telephone (Abstract;1-10); wherein the relaying unit converts communication signals received from the mobile telephone from the second format to the first format for transmission to the wired local telephone network (Col.4;17-25) and converts communication signals received from the wired local telephone network by the wired telephone from the first format to the second format for transmission to the mobile telephone (Col.4;17-25).

Torrey **is silent on** the relaying unit increasing the voltage of communication signals received from the mobile telephone and provides the communication signals to the wired telephone and decreases the voltage of communication signals received from the wired telephone and provides the communication signals to the mobile phone.

Uchiyama, in a similar field of endeavor, teaches that mobile phones are small and power limited, therefore signal level is small (Par.6;1-5) and cordless telephones, i.e. wired telephones, have larger signal levels (Par.7;1-8) and the difference in signal levels between the wired telephone and the mobile phone can be adjusted (Par.10;15-17 and Par.47;1-11). To one of ordinary skill in the art, this would read on the limitations as recited above since a mobile phone has small power, the signal level, i.e. voltage, must be increased to provide the communication signals to the wired telephone; and since a wired phone has larger power, the signal level, i.e. voltage, must be decreased to provide the communication signals to the mobile phone.

To one of ordinary skill in the art, it would have been obvious to modify Torrey with Uchiyama at the time of the invention, such that the relaying unit increases the voltage of communication signals received from the mobile telephone and provides the communication signals to the wired telephone and decreases the voltage of communication signals received from the wired telephone and provides the communication signals to the mobile phone, to

provide a method of converting the signals between the two devices such that the signals are compatible with one another.

Regarding Claims 5 and 28, Torrey and Uchiyama teaches all the limitations as recited in claims 1 and 25, and Torrey further teaches the mobile phone connects to a connector 116A of the cradle to exchange signals with the converter (Col.3:45-55), to cause communication with a wired telephone to be provided through the wireless mobile telephone system via the wireless telephone (Abstract:1-10). To one of ordinary skill in the art it is obvious that there must be a detector, which detects when the connection is made.

Regarding Claims 6 and 29, the combination as discussed above teaches all the limitations as recited in claims 5 and 28, and Torrey further teaches the relaying unit causing the wired telephone network to be disconnected from the wired telephone communication system by the actuation of a switching element (Col.5:2-13, the switching element inside the relaying unit allows telephonic device 231 to place calls only over the wireless network, i.e. the wired telephone network to be disconnected from the wired telephone communication system by the actuation of a switching element).

Regarding Claims 4 and 16, Torrey teach all the limitations as recited in claim 6 and 15, and Uchiyama further teaches a cordless telephone (i.e. wired telephone) as being powered by a docking station (Fig.1:2) which is also comprises the relaying unit.

Regarding Claims 11, 21-22, and 35, Torrey teaches all the limitations as recited in claims 1 and 13, and Torrey further teaches a cradle assembly for receiving the mobile telephone (Fig.2A;210), the relaying unit being provided by the cradle assembly (Fig.2A;220).

Regarding Claim 30, Torrey teaches all the limitations as recited in claim 25, and Torrey teaches a mobile telephone and a cradle assembly, where the mobile telephone is coupled to the cradle assembly when the mobile phone is place in the cradle (Fig.2A and Col.4;13-24).

Regarding Claims 13 and 31, Torrey teaches A mobile telephone relaying system for relaying communication signals (Col.3;45-64, converter 120) between a mobile telephone capable of wireless communication with a wireless mobile telephone communication system (Fig.1;100) and a wired telephone in a wired local telephone network providing communication between the wired telephone and a wired telephone communication system (Fig.1;130-140), the wired telephone network employing communication signals having a first format (Col.4;17-25, signals between converter and first telephonic device is of one format) and the mobile telephone communication signals having a second format (Col.4;17-25, signals between the converter and mobile phone is of another format), comprising: a relaying unit (Fig.1;120, converter) coupled to the wired local telephone network for relaying communication signals between the mobile telephone and the wired local telephone network for communication with the wired telephone (Fig.1;24 and Par.13); and a mobile telephone coupling unit for

interconnecting the mobile telephone to the relaying unit for transmission of communication signals having the second format between the relaying unit and the mobile telephone (Par.11;15-16), wherein the relaying unit converts communication signals received from the mobile telephone coupling unit from the second format to the first format for transmission to the wired local telephone network (Col.4;17-25) and converts communication signals received to the wired local telephone network from the first format to the second format for transmission to the mobile telephone via the mobile telephone coupling unit for allowing communication via wireless telephone network using the wired telephone (Abstract;1-10 and Col.4;17-25), and Torrey further teaches the relaying unit has a switch to cause the wired telephone network to be disconnected from the wired telephone communication system so that communication with the wired telephone is provided through the wireless mobile telephone system via the wireless telephone (Col.5;2-13, the switching element inside the relaying unit allows telephonic device 231 to place calls only over the wireless network, i.e. the wired telephone network to be disconnected from the wired telephone communication system by the actuation of a switching element), however

Torrey **is silent on** the relaying unit detecting (i.e. switching unit) connection of the mobile telephone to the relaying unit.

Uchiyama teaches the relaying unit detecting (i.e. switching unit) connection of the mobile telephone to the relaying unit (Par.40;20-22, detects on-hook condition).

To one of ordinary skill in the art it would have been obvious to modify Torrey with Uchiyama at the time of the invention, such that the relaying unit, i.e. switching unit, detects connection of the mobile telephone to the relaying unit, to provide a method of determining when land-line communications over a wireless network via a connected mobile device is viable.

Regarding Claim 19, Torrey further teaches the relaying unit comprises a signal converter for converting communication signals having the second format to the first format and communication signals having the first format to the second format (Col.4;17-25, processor 223 does the converting)

2. Claims 9, 20, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al (U.S. Patent 6751462 B1) and Uchiyama (U.S. Pub 2002/0072390 A1) in further view of Maki (U.S. Pub 2002/0160792 A1).

Regarding Claims 9, 20, and 36, Torrey and Uchiyama teach all the limitations as recited in claims 1, 19, and 31, however the combination **is silent on** the relaying unit further comprising a noise filter for filtering noise from communication signals having the first format.

Maki teaches a converter for converting signals between two different electronic devices, which includes a noise filter so noise does not enter the device or phone line (Par.31;4-6). The examiner notes that Maki is not

necessarily in the same field of endeavor as Torrey and Uchiyama, however the examiner only wishes to extract from Maki, the well known teaching that noise is removed during conversion of signals to protect the receiving device from any damage due to noise.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Torrey and Uchiyama with Maki, such that the relaying unit further comprises a noise filter for filtering noise from communication signals having the first format, to provide a method of keeping the communication signal clear of any extraneous noise and to protect the device on the receiving end from damage by noise.

3. Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al (U.S. Patent 6751462 B1) and Uchiyama (U.S. Pub 2002/0072390 A1) in further view of Pulver (U.S. Patent 6741835 B2).

Regarding Claim 10, Torrey and Uchiyama teach all the limitations as recited in claim 1, however the combination **is silent on** the relaying unit comprising a switch for switching between communication via the wired telephone communication system and the wireless mobile communication system.

Pulver teaches a relay unit (200) comprising a switch (135) for switching between communication via the wired telephone communication system and the wireless mobile communication system (Col.7;53-57).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Torrey and Uchiyama with Pulver, such that the relaying unit comprises a switch for switching between communication via the wired telephone communication system and the wireless mobile communication, to provide a method of enabling land-line phones to communicate over wireless networks to alleviate health concerns associated with the use of wireless telephones close to a users body.

4. Claims 12 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al (U.S. Patent 6751462 B1) and Uchiyama (U.S. Pub 2002/0072390 A1) in further view of Bacon (U.S. Pub 2004/0203482 A1).

Regarding Claims 12 and 23, Torrey and Uchiyama teach all the limitations as recited in claims 1 and 13, however the combination **is silent on** the relaying unit powered by the wired telephone communication system via the wired local telephone network.

Bacon teaches the fixed wireless device (i.e. relaying unit) is powered through one of various power sources, for example the device may receive power from a public utility (i.e. wired communication system), one of ordinary skill in the art could envision a various power source as being from the wired local telephone network (Par.18;1-4).

It would have been obvious to one of ordinary skill in the art to modify Torrey and Uchiyama with Bacon at the time of the invention, such that the relaying unit is powered by the wired telephone communication system via the

Art Unit: 2617

wired local telephone network, to provide a method of keeping the size of the relaying unit smaller by leaving out its own power source.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesley L. Kim whose telephone number is 571-272-7867. The examiner can normally be reached on Monday-Friday 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WLK



GEORGE ENG
SUPERVISORY PATENT EXAMINER